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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,326	12/23/2003	Tomohiro Shinoda	4635-006	5590
22429	7590	12/12/2006	EXAMINER	
LOWE HAUPTMAN BERNER, LLP			TORIMIRO, ADETOKUNBO OLUSEGUN	
1700 DIAGONAL ROAD			ART UNIT	
SUITE 300			PAPER NUMBER	
ALEXANDRIA, VA 22314			3709	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/743,326

Applicant(s)

SHINODA, TOMOHIRO

Examiner

Adetokunbo O. Torimiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/02/2004, 03/07/2005, 11/08/2006.

## DETAILED ACTION

### *Claim Objections*

1. Claim 11 is objected to because of the following informalities:

Claim 11, line 5: "an event for" should be -- the event for --.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,2,3,6,and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726).

Re claim 1: Sparks II teaches a gaming system for providing a game comprising personal attribute information / *personal profile* storing means (24) for storing personal attribute information / *personal profile* corresponding to each of a plurality of players (see fig. 2; col.5, lines 17-18 and 48-51).

However, Sparks II fails to teach the gaming system for providing a game comprising special game shift means for causing the game to shift from a normal mode to a special mode based on the personal attribute information of at least one of the plurality of players.

Yoseloff et al teaches the gaming system for providing a game comprising special game

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shift / *triggering event* means for causing the game to shift from a normal mode to a special mode / *bonus event* based on the personal attribute information / *player identity* of at least one of the plurality of players (see par.31, lines 11-16).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a special game shift means for shifting to a special mode from a normal mode so that players of the game will have more chances and opportunity to win during a game play thereby increasing the player's enjoyment of the game. (Claim 1 invokes 35 USC 112, 6<sup>th</sup> paragraph).

Re claim 2: Sparks II teaches the gaming system further comprising player group generating means for generating a player group being composed of at least the plurality of players based on the personal attribute information / *personal profile* of each of the plurality of players (see col.6, lines 18-33).

However, Sparks II fails to teach the gaming system for providing a game comprising special game shift means for causing the game to shift from a normal mode to a special mode based on the personal attribute information of at least one of the plurality of players.

Yoseloff et al teaches the gaming system for providing a game comprising special game shift / *triggering event* means for causing the game to shift from a normal mode to a special mode / *bonus event* based on the personal attribute information / *player identity* of at least one of the plurality of players (see par.31, lines 11-16).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a special game shift means for shifting to a special mode

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from a normal mode so that players of the game will have more chances and opportunity to win during a game play thereby increasing the player's enjoyment of the game. **(Claim 2 invokes 35 USC 112, 6<sup>th</sup> paragraph).**

Re claims 3 and 7: Sparks II teaches the gaming system wherein the personal attribute information / *personal profile* is composed of basic information originating from each of the plurality of the players (see fig.8; col.5, lines 8-13).

Re claim 6: Sparks II teaches a gaming system for providing a game comprising a gaming machine (18) connected to a communication network (16), and a gaming server (14) connected to the communication network (16) (see fig.1; col.3, lines 1-9), wherein the gaming server comprising a storage device (24) for storing personal attribute information / *personal profile* corresponding to each of a plurality of players (see fig. 2; col.5, lines 17-18 and 48-51).

However, Sparks II fails to teach the gaming system comprising a control device for determining whether the game is caused to shift from a normal mode to a special mode, and wherein the control device determines whether the game is caused to shift to another special mode being entitled with a game name based on features of the personal attribute information so that a title after the game name is awarded to a winner of the game.

Yoseloff et al teaches the gaming system comprising a control device / *scanning technology device* for determining whether the game is caused to shift from a normal mode to a special mode, and wherein the control device determines whether the game is caused to shift

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to another special mode being entitled with a game name based on features of the personal attribute information so that a title after the game name is awarded to a winner of the game (see par.31, lines 11-16).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a control device for determining whether the game is caused to a special mode from a normal mode so that players of the game will have more chances and opportunity to win during a game play thereby increasing the player's enjoyment of the game.

4. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726) and further in view of Vancura (US 6,033,307). The teachings of Sparks II and Yoseloff et al have been discussed above.

Re claims 4 and 8: Sparks II teaches the gaming system and method for providing a game comprising personal attribute information.

However, Sparks II fails to teach the gaming system and method wherein at least one of the players playing the game in the special mode has a greater advantage than in the normal mode.

Vancura teaches the gaming system and method wherein at least one of the players playing the game in the special mode / *bonus game* has a greater advantage than in the normal mode (see col.3, lines 62-67).

Therefore it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to include having a greater advantage in the special mode than in the normal mode of the game so has to increase the interest of the player thereby increasing enjoyment and excitement.

5. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726) and further in view of Slomiany et al (US 6,159,098). The teachings of Sparks II and Yoseloff et al have been discussed above.

Re claims 5 and 9: Sparks II teaches the gaming system and method for providing a game comprising personal attribute information.

However, Sparks II fails to teach the gaming system and method wherein game credits which serve as virtual currencies transferable among the players during the game and which are utilized for determining respective ranking positions of the players are awarded by the control device in a larger amount to a winner of the game in the special mode than in the normal mode.

Slomiany et al teaches the gaming system and method wherein game credits which serve as virtual currencies transferable among the players during the game and which are utilized for determining respective ranking positions of the players are awarded by the control device in a larger amount to a winner of the game in the special mode /*bonus game* than in the normal mode / *basic game* (see col.1, lines 45-47).

Therefore it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to include larger amounts of credits in the special mode than in normal mode so as to produce a significantly higher level of player excitement thereby providing greater expectation of winning.

6. Claims 10,11,and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726) and Marks et al (US 5,882,260).

Re claim 10: Sparks II teaches a gaming method utilizing a gaming machine connected to a communications network (18) connected to a communications network (16), and a gaming server (14) provided with a personal attribute information / *personal profile* storing region for storing personal attribute information / *personal profile* corresponding to each of a plurality of players participating in a game (see **figs.1 and 2; col.3, lines 1-9 and col.5, lines 17-18 and 48-51**).

However, Sparks II fails to teach the gaming method comprising determining whether an event for causing the game to shift to a special mode entitled a game name based on features of the personal attribute information is to be generated, transmitting a signal for causing the game to shift to the special mode to the gaming machine through the communications network in response to the generated event, and awarding a title after the game name to a winner of the game according to the generated event.

Yoseloff et al teaches the gaming method comprising determining / *considered to determine* whether an event for causing the game to shift to a special mode / *bonus event*

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entitled a game name based on features of the personal attribute information / *player identity* is to be generated (see col.6, lines 18-33), transmitting a signal for causing the game to shift to the special mode to the gaming machine through the communications network in response to the generated event (see par.30, lines 3-11).

Marks et al teaches the gaming method comprising awarding / *declaring* a title after the game name of a winner of the game according to the generated event (see col.20, lines 18-21).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a method of determining an event for shifting to a special mode from a normal mode so that players of the game will have more chances to win during a special mode game play thereby increasing the player's enjoyment of the game and it is also obvious to award a title after the game name to a winner since awards may be in any form thereby making the player more interested in the game so as to be awarded the game name title.

Re claim 11: Sparks II teaches the gaming method further comprising generating a player group based on the features of the personal attribute information / *personal profile* of each of the plurality of players (see col.6, lines 18-33).

However, Sparks II fails to teach the gaming method further comprising determining whether the event for causing the game to shift to the special mode is to be generated based on the features of the personal attribute information of each of the players of the players of the player group.

Yoseloff et al teaches the gaming method further comprising determining / *considered to determine* whether the event / *triggering event* for causing the game to shift to the special mode / *bonus event* is to be generated based on the features of the personal attribute information / *player identity* of each of the players of the players of the player group (see **par.30, lines 3-11**).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a special game shift means for shifting to a special mode from a normal mode so that players of the game will have more chances and opportunity to win during a game play thereby increasing the player's enjoyment of the game.

Re claim 12: Sparks II teaches the gaming system wherein the personal attribute information / *personal profile* is composed of basic information originating from each of the plurality of the players (see **fig.8; col.5, lines 8-13**).

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726) and Marks et al (US 5,882,260) and further in view of Vancura (US 6,033,307). The teachings of Sparks II and Yoseloff et al have been discussed above.

Re claim 13: Sparks II teaches the gaming system and method for providing a game comprising personal attribute information.

However, Sparks II fails to teach the gaming system and method wherein at least one of the players playing the game in the special mode has a greater advantage than in the normal mode.

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Vancura teaches the gaming system and method wherein at least one of the players playing the game in the special mode / *bonus game* has a greater advantage than in the normal mode (see col.3, lines 62-67).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include having a greater advantage in the special mode than in the normal mode of the game so as to increase the interest of the player thereby increasing enjoyment and excitement.

8. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726) and Marks et al (US 5,882,260) and further in view of Slomiany et al (US 6,159,098). The teachings of Sparks II and Yoseloff et al have been discussed above.

Re claim 14: Sparks II teaches the gaming system and method for providing a game comprising personal attribute information.

However, Sparks II fails to teach the gaming system and method wherein game credits which serve as virtual currencies transferable among the players during the game and which are utilized for determining respective ranking positions of the players are awarded by the control device in a larger amount to a winner of the game in the special mode than in the normal mode.

Slomiany et al teaches the gaming system and method wherein game credits which serve as virtual currencies transferable among the players during the game and which are utilized for

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determining respective ranking positions of the players are awarded by the control device in a larger amount to a winner of the game in the special mode /*bonus game* than in the normal mode / *basic game* (see col.1, lines 45-47).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include larger amounts of credits in the special mode than in normal mode so as to produce a significantly higher level of player excitement thereby providing greater expectation of winning.

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Forte et al discloses a blackjack game system and methods; Acres et al teaches a method and apparatus for implementing a jackpot bonus on a network of gaming devices; Walker et al discloses a database driven online distributed tournament system; Raven et al discloses a gaming machine information, communication and display system; Grimm et al discloses a network match maker matching requesters based on communication attribute between the requesters; Demar et al discloses a gaming machine with bonus mode.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adetokunbo O. Torimiro whose telephone number is (571) 270-1345. The examiner can normally be reached on Mon-Fri (8am - 4pm).

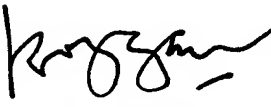
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong-Suk (James) Lee can be reached on (571) 272-7044. The fax phone number for

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the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1006.

AOT

  
**KIM NGUYEN**  
**PRIMARY EXAMINER**